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Secretary's office



Federal Communications Commission
Washington, D.C. 20554

FEB 26 1997

RECEIVED

The Honorable Robert E. Andrews
Member U.S. House of Representatives
506A White Horse Pike
Haddon Heights, New Jersey 08035

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FEB 27 1997

Federal Communications Commission
Office of Secretary

Dear Congressman Andrews:

Thank you for your letter of January 3, 1997, forwarding a copy of a public resolution of Woodbury Heights Borough, New Jersey. The resolution opposes the Commission's recent proposal on policies for developing the initial digital television (DTV) channel allotments, on the grounds that it would result in existing land mobile stations having to change frequencies. The resolution further states that this would have a severe financial impact on the Borough of Woodbury Heights as the Borough would need to replace its existing radio equipment at considerable expense.

On July 25, 1996, the Commission proposed policies for allotting channels for DTV service and also provided a draft DTV Table of Allotments. (Sixth Further Notice of Proposed Rule Making in MM Docket No. 87-268, FCC No. 96-317, released August 14, 1996). In that action, the Commission proposed to provide all existing television broadcasters with a second 6 MHz channel for digital broadcasting. The Commission is aware of the concerns of land mobile operators in the New Jersey area with regard to the potential for interference caused to their operations by the draft table. We are currently revisiting this table and will attempt to resolve their concerns before we take final action in this proceeding. Please be assured that we are carefully evaluating all available alternatives for maintaining the interests of land mobile operators as well as broadcasters as we develop the DTV Table of Allotments.

Thank you again for your interest in this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Richard M. Smith".

Richard M. Smith
Chief
Office of Engineering and Technology

ROBERT E. ANDREWS
FIRST DISTRICT, NEW JERSEY

Congress of the United States
House of Representatives
Washington, DC 20515-3001

January 3, 1997

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157*

Mr. Reed Hundt
Chairman
Federal Communications Commission
1919 M. St. NW
Washington, D.C. 20554-3505

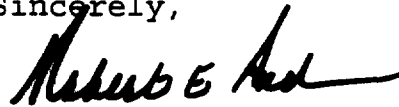
Dear Chairman Hundt:

I write to you on behalf of Mayor Donald W. Steward, Borough of Woodbury Heights, 500 Elm Ave., Woodbury Heights, NJ 08097, who has contacted my office for assistance. Enclosed please find correspondence regarding an FCC proposal to assign channel 21 to a television station for broadcast in the Southern New Jersey and Philadelphia region. The Borough of Woodbury Heights strongly opposes this proposal.

I would appreciate if you would afford the Borough of Woodbury Heights all due consideration under the law in their efforts. In addition I would be interested in receiving your review and reply to this correspondence so that I may advise them accordingly.

Please forward your response to the attention of my aide, Ms. Susan Gronek, at 506A White Horse Pike, Haddon Heights, NJ 08035, (609) 546-5100, Fax: (609) 546-9529. Thank you in advance for your time and consideration.

Sincerely,



ROBERT E. ANDREWS
Member of Congress

REA:smg
enc.

REPLY TO:

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WASHINGTON, DC 20515-3001
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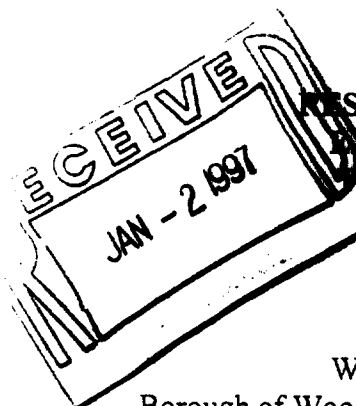
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e-mail etrandrews@hr.house.gov

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RESOLUTION NO. 91-1996



**RESOLUTION OF THE BOROUGH OF WOODBURY HEIGHTS
EXPRESSING CONCERN OVER AND IN OPPOSITION TO
THE ASSIGNMENT OF CHANNEL 21 TO A TELEVISION
BROADCAST STATION WITHIN THE SOUTHERN
NEW JERSEY/PHILADELPHIA REGION**

WHEREAS, it has been brought to the attention of the Borough Council of the Borough of Woodbury Heights, Gloucester County, New Jersey, that the Federal Communications Commission, hereafter referred to as the ("FCC") is considering assigning Channel 21 to a television station for broadcast in the Southern New Jersey, Philadelphia Region; and

WHEREAS, the Borough Council has been notified by the Gloucester County Emergency Management Coordinator, James Hogan, and through the Gloucester County Communications Center, James P. Flaherty, Director, that the assignment of Channel 21 to broadcast would have a detrimental and devastating impact on land mobile communication uses throughout the region; and

WHEREAS, TV Channel 20 bandwidth is presently designated for land mobile use pursuant to FCC Codes in Southern New Jersey, Philadelphia Region; and

WHEREAS, within that Region over 600 licensees, including the County of Gloucester and its multiple County Agencies including Communications, Emergency Management, Fire Marshall, Sheriff's Office, and Special Transportation Services operate on that TV Channel 20 bandwidth; and

WHEREAS, if the FCC reassigns Channel 21 bandwidth to the broadcast industry, the above mentioned agencies as well as all municipal public safety agencies including 53 fire companies, 27 ambulance squads and 23 municipal police departments will be unable to use their currently assigned Channel 20 bandwidth; and

WHEREAS, it has been proposed that other frequencies recovered by the FCC could be given to displaced radio users including Gloucester County and its related municipal agencies with frequencies in the ranges of 54 to 72, 76 to 88, and 698 to 806 MHZ ranges; and

WHEREAS, the County Communication Center has advised the Borough of Woodbury Heights and the Borough of Woodbury Heights has confirmed, that a majority of its communication equipment currently in use could not be converted to these higher frequencies and would require the purchase of new communications equipment; and

WHEREAS, the cost of this forced purchase of new communications equipment would cost the Borough of Woodbury Heights hundreds of thousands of dollars and overall, approximately, 17 Million Dollars in costs for the Gloucester County and Municipal Agencies, many of which are local volunteer organizations.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Woodbury Heights, with the Mayor concurring, that the Borough of Woodbury Heights is hereby opposed to the proposal to re-assign Channel 21 to the broadcast industry, thus effectively ending land mobile communications on the TV Channel 20 bandwidth and causing the Borough of Woodbury heights and numerous Gloucester County and Municipal Agencies to change communication channels and be forced to expend a minimum of 17 Million Dollars for new communications equipment; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Secretary of the Federal Communication Commission in care of Chairman Hundt, United States Senators, Bill Bradley and Frank Lautenberg, Congressman Frank Lo Biondo, New Jersey State Legislatures Senator Raymond Zane, Assemblyman Gary W. Stuhltrager and Assemblyman Jack Collins, Gloucester County Freeholder Stephen R. Salvatore and Daniel Mangini and all municipalities located within the County of Gloucester.

ADOPTED at a regular meeting of the Borough Council of the Borough of Woodbury Heights on December 18, 1996.

BOROUGH OF WOODBURY HEIGHTS


DONALD W. STEWARD, MAYOR

ATTEST:

CAROLE PIERCE, BOROUGH CLERK

Adopted at a regular meeting of the Mayor and Council of the Borough of Woodbury Heights held on December 18, 1996.

CAROLE PIERCE, BOROUGH CLERK